

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CHRISTOPHER MARTZ, SR, Plaintiff,	:	
	:	
	:	
v.	:	Civil No. 5:21-cv-02750-JMG
	:	
NORFOLK SOUTHERN RAILWAY COMPANY,	:	
Defendant.	:	

ORDER

AND NOW, this 24th day of March, 2023, upon consideration of Defendant Norfolk Southern Railway Company's Motion for Reconsideration (ECF No. 39), Defendant's Supplemental Motion for Reconsideration (ECF No. 42), Plaintiff Christopher Martz, Sr.'s Response in Opposition thereto (ECF No. 59), and Defendant's Reply in Support of Defendant's Supplemental Motion for Reconsideration (ECF No. 62), **IT IS HEREBY ORDERED** that Defendant's Motions (ECF Nos. 39 and 42) are **GRANTED**.

IT IS FURTHER ORDERED that the Court's September 30, 2022 Order (ECF No. 35) is **AMENDED** as follows:

1. Plaintiff's request that Defendant be precluded from challenging causation of Plaintiff's injuries is **DENIED**.

2. In lieu of evidentiary sanctions against Defendant, for the conduct described in this Court's September 30, 2022 Memorandum Opinion (ECF No. 34) and this Order's accompanying Memorandum Opinion, if Attorney Hohn pays \$2,000.00 to the Clerk of Court, United States District Court for the Eastern District of Pennsylvania, ATTN: Financial Department, 601 Market

Street, Room 2609, Philadelphia, PA 19106 no later than Monday, April 17, 2023 the Court will take no further action related to this sanction.

3. If Attorney Hohn does not make payment by Monday, April 17, 2023, then Attorney Hohn is **ORDERED** to attend a Show Cause Hearing to be held **Wednesday, April 26, 2023 at 1:30 p.m.** at 504 West Hamilton Street, Courtroom 4B, Allentown, Pennsylvania 18102, at which Attorney Hohn will have an opportunity to show cause why he should not be sanctioned. Counsel for Plaintiff and Defendant may attend this hearing and will have an opportunity to be heard, but Counsel is not required to attend.

4. All other terms of the Court's September 30, 2022 Order (ECF No. 35) remain unmodified.

IT IS FURTHER ORDERED that the Clerk of Court is **DIRECTED** to mail a copy of this Order and Memorandum Opinion to RICHARD K. HOHN, HOHN & SCHEUERLE, 1700 MARKET ST, STE 3242, PHILADELPHIA, PA 19103.

BY THE COURT:

/s/ John M. Gallagher

JOHN M. GALLAGHER

United States District Court Judge